

IN THE MATTER OF THE * BEFORE THE
THE APPLICATION OF * COUNTY BOARD OF APPEALS
NORBERT R. MYSLINSKI *
FOR A SPECIAL HEARING ON * OF
PROPERTY LOCATED 520' SOUTH *
PARK DRIVE ON NORTH SIDE * BALTIMORE COUNTY
POPLAR DRIVE (2514 POPLAR DR.) *
2ND ELECTION DISTRICT * CASE NO. 92-44-SPH
2ND COUNCILMANIC DISTRICT *
* * * * *

OPINION

This case comes before this Board on appeal from an order of the Zoning Commissioner dated October 11, 1991, denying the Appellant's request for approval of a nonconforming use for two apartments in a D.R. 5.5 zone, in lieu of one single-family house.

Diane Garner Armetta testified that her grandmother, Lucille Garner, had a house built on the subject property in 1952, and that by 1953 it was broken up into three apartments, one on the first floor and two on the second floor.

Ms. Armetta testified that when her grandmother went to the hospital and subsequently died in 1980, she moved into the first floor apartment, renting it herself from her father for a few years and renting out the two upstairs apartments.

She testified that her grandmother was handicapped and a single parent, and therefore relied on the apartment rentals for her income. Ms. Armetta stated that from about 1962, when she was three years old, she remembers the apartments being rented, and that no apartment was vacant for more than a month to six weeks.

She testified that there is a private entrance to the second floor apartments, and that there are three gas meters. She stated

Case No. 92-44-SPH Norbert R. Myslinski 2
that there is parking on a wide street and a driveway with room for several cars to park. She further testified that there has been no major reconstruction of the property since the initial construction.

Ms. Armetta testified that the property was sold in 1986 to the Appellant, who had been an upstairs tenant in 1985-86.

Joseph Chaney, a senior investigator in the Customer Accounting Department, Baltimore Gas and Electric Company, produced records for the past six years (the length of time for which BG&E preserves its records) showing that the company had sent separate bills to the first floor, second floor north side, and second floor south side units at 2514 Poplar Drive. He also produced a letter dated April 30, 1991, from BG&E Customer Representative P. Dunn to Norbert Myslinski stating, "Gas Service was installed in 1953 at 2514 Poplar Drive *PS." Mr. Chaney testified that "*PS" stands for Public Service and means that the property has a public service meter, which is installed on a property that has two or more units. The records and the letter were accepted as Petitioner's exhibits.

The Appellant, Norbert Myslinski, testified that he bought the house in 1986 and that he knows through personal knowledge that there have been three dwelling units from 1985, when he was a tenant, up to the present.

Blaze Bizzarri testified that he has been a first floor tenant at the subject property for over a year, and that there have been two other tenants. Michael Freilich, attorney for the Appellant,

Case No. 92-44-SPH Norbert R. Myslinski 3
proffered two other witnesses, Nancy Bizzarri, Mr. Bizzarri's wife, and Mr. Lixing Lao, another tenant, both of whom he said would have testimony similar to that of Mr. Bizzarri.

Protestant William Obriecht, who lives at 2415 Poplar Drive, said in his opening statement that he was representing the Gwynn Oak Improvement Association. He said that, because the association was concerned with neglect by absentee landlords in what is essentially a community of single-family dwellings, it has taken the position that it would challenge all nonconforming uses in the area.

Mr. Obriecht testified that the association's Board of Directors, of which he is a member, passed a resolution authorizing him to challenge the Appellant's petition, but that the association's membership did not vote on the resolution. Mr. Obriecht did not produce any witnesses.

Baltimore County's original zoning regulations, which provided for nonconforming uses, were adopted in 1945. The County adopted a new set of comprehensive zoning regulations in 1955. The issue of nonconforming uses was dealt with in Section 104 of those regulations. The Section then read:

104.1 - A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such

Case No. 92-44-SPH Norbert R. Myslinski 4
nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used.

Section 104.1 was changed to its current language in 1976. The current effective regulation reads as follows:

A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used. (BCZR, 1955; Bill No. 18, 1976)

The Petitioner has the burden of producing testimony and evidence to show that nonconforming use of the property has been continuous since the adoption of the regulations.

The Board is of the opinion that the preponderance of the testimony and evidence indicates that the subject property was in continual nonconforming use as a three-unit dwelling since 1953. In fact, no testimony whatsoever was given to show that there was a break in nonconforming use.

ORDER

IT IS THEREFORE this 17th day of June, 1992 by the County Board of Appeals of Baltimore County
ORDERED that the Petition for Special Hearing for a

Case No. 92-44-SPH Norbert R. Myslinski 5
nonconforming use for two apartments in a D.R. 5.5 zone, in lieu of a one single-family house, be and the same is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Judson H. Lipowitz
Judson H. Lipowitz

S. Diane Levero
S. Diane Levero

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
520 ft. S Park Dr. on N/S * ZONING COMMISSIONER
Poplar Drive *
2514 Poplar Drive * OF BALTIMORE COUNTY
2nd Election District *
2nd Councilmanic District * CASE # 92-44-SPH
Norbert R. Myslinski *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to the Petition for Special Hearing, approval of a nonconforming use as defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) for 2 apartments in a D.R.5.5 zone in lieu of 1 single family house, as more particularly described on Petitioner's Exhibit No. 3.

The Petitioner, Norbert Myslinski, appeared and testified. Appearing and testifying as Protestants were William Obriecht, Angeline Malcolm, Alicia and Jeffrey Barbers, Alice L. Rea, Irene J. Conley, Karen Gray and Nancy Wilson.

Evidence indicated that the subject property is located at 2514 Poplar Drive in the Gwynn Oak section of Baltimore County. The property is improved with a two story brick dwelling located on a lot approximately 50 ft. wide and 205 ft. deep, zoned D.R.5.5. The property is located in a long established residential community.

The Petitioner testified that he purchased the property in 1986, after having lived in one of the apartments therein for approximately one year. Presently, he does not live on the site. He testified that, at the present time, the property is leased to two tenants, one of whom lives on the first floor and another in one of the efficiency units on the second floor. The

Petitioner further testified that the property, when purchased by him, contained a large living area which occupied the basement and first floor. On the second floor, there were two separate efficiency units. Each of the three units was internally accessed by a small breezeway located adjacent to the exterior door.

Mr. Myslinski offered two letters in support of his Petition, identified as Petitioner's Exhibits Nos. 1 and 2. Exhibit No. 1 is a notarized statement from Diane Garner Erman regarding the history of the property. The statement indicates that the property was originally owned by Mrs. Erman's grandmother and was designed and built by her in 1952-53. Further, the letter states that the elder Mrs. Garner placed apartments in the building in 1953 and further traces the history of the property after her death and inheritance of the parcel by her son, Mrs. Erman's father. The letter is significant, however, for what it does not say. That is, the exhibit does not specifically state that the property was leased and actively used as apartments since 1953.

The Petitioner also presented a letter from the Baltimore Gas and Electric Company indicating that, "Gas service was installed in 1953 at 2514 Poplar Drive *PS." The Petitioner argued that this letter was proof that separate utility hookups were made to each apartment in 1953, however, the letter on its face does not clearly indicate so.

Testifying in opposition to the proposed special hearing were numerous Protestants. They included William Obriecht of the Gwynn Oak Improvement Association. He indicated that his Association has three concerns regarding the Petition; namely, that the property has not continually been used as an apartment since 1955, that the upkeep of the building has been poor and that the maintenance of an apartment unit in this otherwise single family residen-

tial community is inconsistent with the Woodlawn-Liberty Community Plan and the residential nature of the community. Echoing these sentiments were several other Protestants, including Karen Gray, Alicia Barbers, Angeline Malcolm, Alice Rea and Nancy Wilson. Most significant among their testimony was that offered by Angeline Malcolm and Nancy Wilson. Both of these individuals indicated that the property was not occupied by tenants in 1985, after the death of the elder Mrs. Garner. As residents of the community during that time, they opined that the apartment was not in active use during that period.

Zoning came officially to Baltimore County on January 2, 1945, when, pursuant to previous authorization by the General Assembly, the County Commissioners adopted a comprehensive set of zoning regulations.

The Commissioners were first authorized to adopt comprehensive planning and zoning regulations in 1939 (Laws of Maryland, 1939, ch. 715). At the next biennial session of the General Assembly, this authorization was repealed, and a new authorization was enacted (Laws of Md., 1941, ch. 247). Before any such regulations were issued, the Legislature authorized the Commissioners to make special exceptions to the regulations (Laws of Md., 1943, ch. 877). The first regulations were adopted and took effect on January 2, 1945. See Kahi v. Cons. Gas Elec. Light. and Pwr. Co., 191 Md. 249, 254, 60 A.2d 754 (1948); Calhoun v. County Board of Appeals, 262 Md. 265, 277 A.2d 589 (1971).

Section 11 of those regulations created seven zones, four being residential, one commercial, and two industrial. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 385 A.2d 96 (1978).

Those original regulations provided for nonconforming uses. The statute read as follows:



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY A/R PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

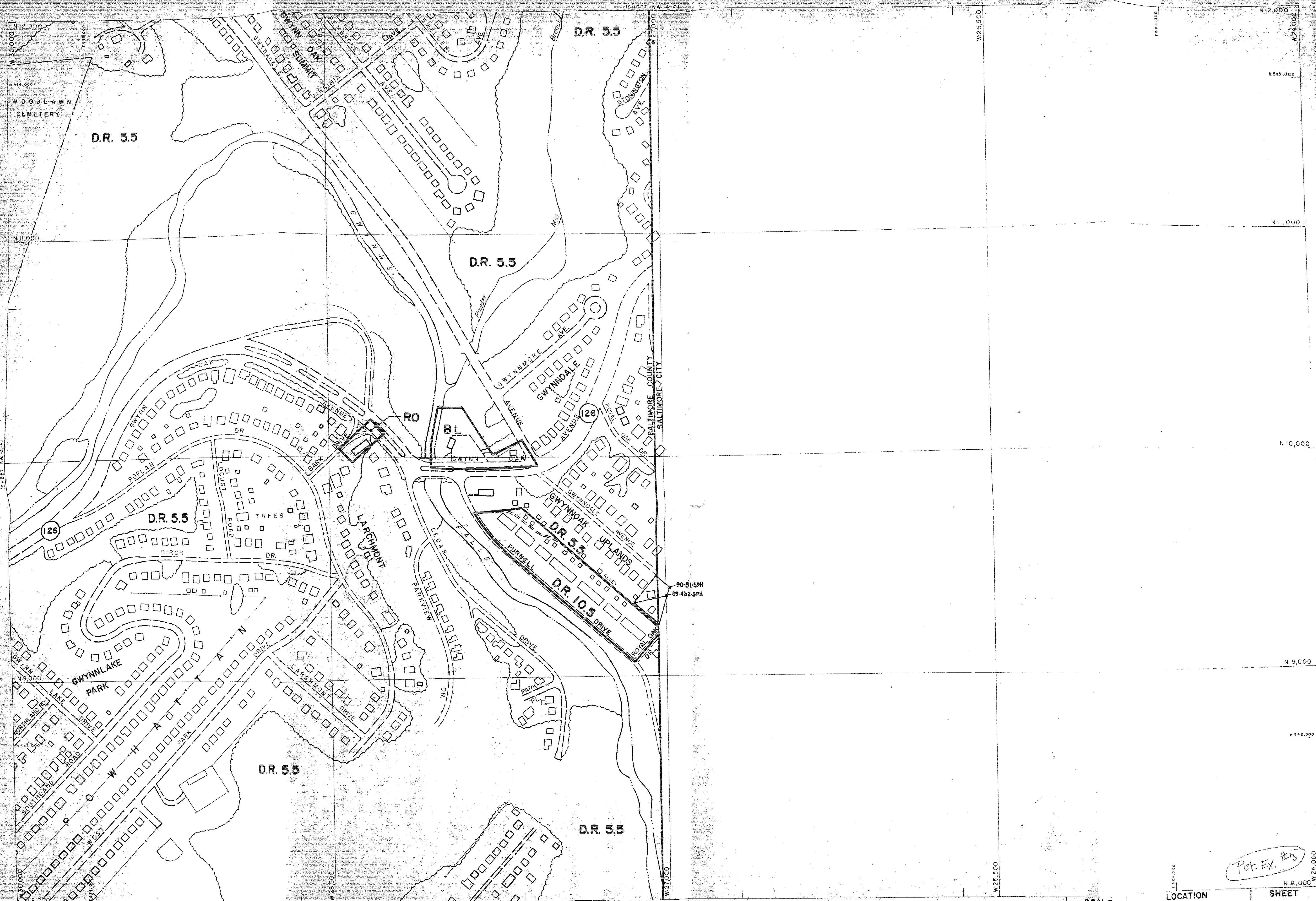
LOCATION

GWYNN OAK
WOODLAWN

SHEET

N.W.
3-E

Pet. Ex. #1



K-SW
K-NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION GWYNN OAK WOODLAWN	SHEET N.W. 3-E
DATE OF PHOTOGRAPHY JANUARY 1986		

Pet. Ex. #13

"A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue, provided, however, upon any change from such nonconforming use to a conforming use, or any attempt to change from such nonconforming use to a different nonconforming use or any discontinuance of such nonconforming use for a period of one year, or in case a nonconforming structure shall be damaged by fire or otherwise to the extent of seventy-five (75%) percent of its value, the right to continue to resume such nonconforming use shall terminate, provided, however, that any such lawful nonconforming use may be extended or enlarged to an extent not more than once again the area of the land used in the original nonconforming use." Section XI, 1945, B.C.Z.R.

Baltimore County adopted a new set of comprehensive zoning regulations on March 30, 1955. The issue of nonconforming uses are dealt with in Section 104 of those regulations. The Section then read:

"104.1 - A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used."

Section 104.1 was changed to its current language on March 15, 1976 by Bill No. 18-76. The current effective regulation reads as follows:

"A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used."

-1-

ed of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used. (B.C.Z.R., 1955; Bill No. 18, 1976)"

The Petitioner has the burden of adducing testimony to convince the Commissioner that the nonconforming use has been continuous since the adoption of the regulations. In the subject case, the Petitioner has failed to meet his burden. The Petitioner's exhibits are not clear that the use has not been abandoned nor discontinued for a period of one year or more. Particularly in view of the testimony of the Protestants, there are insufficient facts alleged or presented to justify the granting of the special hearing and same must, therefore, be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11th day of Oct., 1991 that, pursuant to the Petition for Special Hearing, request for approval of a nonconforming use as defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) for 2 apartments in a D.R.5.5 zone, in lieu of 1 single family house, in accordance with Petitioner's Exhibit No. 3, is hereby DENIED.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 10, 1991

Mr. Norbert R. Myslinski
108 Rockimmon Road
Reisterstown, Maryland 21136

RE: PETITION FOR SPECIAL HEARING
3514 Poplar Drive
Case No. 92-44-SPH

Dear Mr. Myslinski:

Enclosed please find a copy of the decision rendered in the above captioned matter. The Petition for Special Hearing has been denied.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:smm
cc: Peoples Counsel
cc: Protestants

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 92-44-SPH

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a nonconforming use as defined in Section 101 (B.C.Z.R.) for 2 apartments in a D.R.5.5 zone in lieu of 1 single family house.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Signature

Address

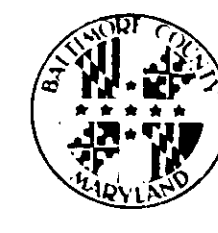
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.



OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR. 4HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL
REVIEWED BY: DATE

92-44-SPH

According to the previous owner, Mrs. Diane Erman, whose Grandmother built the house in question, it has been used continuously as three units since 1953 in the same design as it is used today (see attached letter). The enclosed letter from the gas company also indicates that gas service was installed in 1953 ("PS" in the letter stands for "Public Service" which indicates that the property was used for rentals). The previous owner was always told that the property fell under the "Grandfather's Clause". I purchased it in 1986 as a three unit income property and have used it as such ever since. The Zoning Office told me that I had to convert it to one unit which would be an excessive burden since I would not have complete use of my property. I am requesting that I be able to keep two units.

ZONING DESCRIPTION

92-44-SPH

Beginning at a point on the north side of Poplar Drive which is 50 feet wide at the distance of 520 feet +/- east of the centerline of Park Drive which is 25 feet wide. Being Lot No. 21, Block 8 in the subdivision of Larchmont as recorded in Baltimore County Plat Book No. 7, folio 16, containing 10,250 sq. ft.; also known as 2514 Poplar Drive and located in the 2nd Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: November 2, 1991
Posted for: Robert R. Myslinski
Petitioner: Robert R. Myslinski
Location of property: 3514 Poplar Drive
Location of Signs: In front of 3514 Poplar Drive
Remarks: See attached letter to Zoning Department
Posted by: S. J. Anasta
Number of Signs: 4 Date of return: November 23, 1991

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug. 28, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 29, 1991.

THE JEFFERSONIAN,

Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 at 10:00 a.m.

Case Number: 92-44-SPH
3514 Poplar Drive
N 5th Election District
2nd Councilmanic Precinct
Norbert R. Myslinski
Hearing Date: Wednesday, October 2, 1991
at 10:00 a.m.

Special Hearing: to approve a nonconforming use for 2 apartments in lieu of 1 family house
Zoning Commissioner of Baltimore County
8302 August 29

PRICES for your gold & antiques, "Is House?" Inquire for or estate sale - 1c Coins, 1350 653-3430.

WANTED
cash paid
kinds, gold,
coins, etc.
Weekly & Loan
Tel. 944-2396

WANTED
In Chicago, Mich.
Furnished unfurnished, recreational, telephone answering, more. Location: 2514 Poplar Drive.
653-4100

WANTED
are now being
from Atlantic City,
Lehigh Nov. 10 &
\$110 p.p. Lucky
8835.

WANTED
"Oltzavah"
off invited
here prior to
Nov. 24
and Theatre,
Broadway
from ind.
City Tours
8825
8825

and lunch on route.
\$19 p.p.
Immediate Reservations
LUCKY LADY TOURS, INC.
922-8825

FOR SALE
MOVING SALE - Furniture,
household & collectible items. Sat. &
Sun. from 8-2 at 2814 Hattison Ave.
558-1594

YARD SALE - Randallstown, Mon.
9:00 from 9 a.m. to 4 p.m. 5801 Cherrybrook Rd. Bikes, case, child's table & chairs, next-to-new child's ice skates, crib & mattress and much, much more.

INSTRUCTION
SPANISH, FRENCH, GERMAN,
ITALIAN, etc. by native teachers, 9 a.m.-9 p.m. Academy of Languages, 2027 Maryland Ave. 585-8383.

HELP WANTED

DEPENDABLE, hard-working young lady will clean your home. Reasonable rates. 529-6627.

LEGAL NOTICE

BALTIMORE COUNTY GOVERNMENT
OFFICE OF ZONING ADMINISTRATION
AND DEVELOPMENT MANAGEMENT
OFFICE OF PLANNING AND ZONING
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 at 10:00 a.m.

Case Number: 92-44-SPH
3514 Poplar Drive
N 5th Election District
2nd Councilmanic Precinct
Norbert R. Myslinski
Hearing Date: Wednesday, October 2, 1991
at 10:00 a.m.

Special Hearing: to approve a nonconforming use for 2 apartments in lieu of 1 family house
Zoning Commissioner of Baltimore County

SECRETARY

United Cerebral Palsy of Central Maryland has a challenging position available for an organized person to provide secretarial support for our administrative office in Pikesville, Mon.-Fri. 8:30 a.m.-4 p.m. The ideal candidate will be a team player and will preferably have a minimum of 1 year office experience and proficient typing skills. Word processing skills preferred, but will train. Should have good communication and organizational abilities. In return, we will offer you a competitive starting salary and excellent benefits, including a 3-week vacation after your second year of employment with us. If interested, call for an application:

United Cerebral Palsy of Central Maryland, Inc.
31 Walker Ave., Suite 110, Balto., MD 21208
484-4840

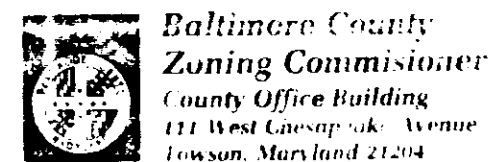
CERTIFICATE OF PUBLICATION

Pikesville, Md., 8/28/91
THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 29th day of Aug. 1991.
the first publication appearing on the 29th day of Aug. 1991
the second publication appearing on the 29th day of Aug. 1991
the third publication appearing on the 29th day of Aug. 1991

THE NORTHWEST STAR

Manager: Jon Brule

Cost of Advertisement: \$24



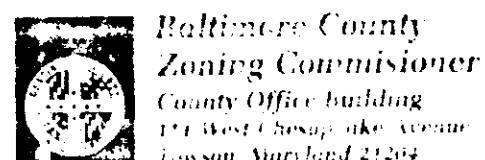
Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 0016150
Number

Date

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 0016150
Number

Date

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

ATE: 9/9/91

Norbert R. Myslinski
708 Rockrimmon Road
Reisterstown, MD 21136

RE:
Case Number: 92-44-SPH
520' S of Park Drive on N/S Poplar Drive
2514 Poplar Drive
2nd Election District - 2nd Councilmanic
Petitioner(s): Norbert R. Myslinski
HEARING: WEDNESDAY, OCTOBER 2, 1991 at 10:00 a.m.

Dear Petitioner(s):

Please be advised that \$815.50 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 West Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

8887 13, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-44-SPH
520' S of Park Drive on N/S Poplar Drive
2514 Poplar Drive
2nd Election District - 2nd Councilmanic
Petitioner(s): Norbert R. Myslinski
HEARING: WEDNESDAY, OCTOBER 2, 1991 at 10:00 a.m.

Special Hearing to approve a non-conforming use for 2 apartments in lieu of 1 family house.

J. Robert Horne
Zoning Commissioner of
Baltimore County

cc: Norbert R. Myslinski
Gwynn Oak Improvement Association

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

September COPY

NOTICE OF REASSIGNMENT

CASE NUMBER(s): 92-44-SPH
PROPERTY OWNER(s): Norbert R. Myslinski
LOCATION: 520' S of Park Drive on N/S Poplar Drive
2514 Poplar Drive

THE ABOVE MATTER HAS BEEN REASSIGNED. HEARING WILL NOW TAKE PLACE AS FOLLOWS:

TUESDAY, OCTOBER 8, 1991 at 10:00 A.M.

IN THE BALTIMORE COUNTY COURTHOUSE, 400 WASHINGTON AVENUE, ROOM 118,
TOWSON, MARYLAND 21204.

ZONING COMMISSIONER
BALTIMORE COUNTY

cc: Norbert R. Myslinski
Gwynn Oak Improvement Association

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

September 24, 1991

887-3353

Mr. Norbert R. Myslinski
108 Rockrimmon Road
Reisterstown, MD 21136

RE: Item No. 36, Case No. 92-44-SPH
Petitioner: Norbert R. Myslinski
Petition for Special Hearing

Dear Mr. Myslinski:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
24th day of July, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Norbert R. Myslinski

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 10, 1991
Zoning Administration and
Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Norbert R. Myslinski, Item No. 36

In reference to the petitioner's comments, staff offers the following comment:

This site is located within the Woodlawn/Liberty Community Plan area. There is language contained in the plan that addresses the conversion of single-family homes. The intent of the plan is to notify community residents regarding any conversion in their neighborhood and to develop regulations to preserve the outside appearance of the structures intended for conversion.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat
ZSHELL/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: September 11, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rubee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 6, 1991
ITEM NUMBER: 36

Adequate off-street parking should be provided.

Rubee J. Famili
Rubee J. Famili
Traffic Engineer II

RJF/lvd



300 East Joppa Road, Suite 901
Towson, MD 21204-3500

CRI 0887 (500)

AUGUST 6, 1991

J. Robert Haires
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: NORBERT P. MYSLINSKI

Location: #2514 POPLAR DRIVE

Item No.: 36 Zoning Agenda: AUGUST 6, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* 8-7-91 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KFK

*Rec'd
8/1/91*

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 10, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
For August 6, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 25, 28, 32, 33, 34, 36, 39, 40, 42, 43 and 44.

For Item 453 (Case No. 91-494 A), the previous minor subdivision comments are applicable.

For Items 35 and 37, revised County Review Group Plans are required.

Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

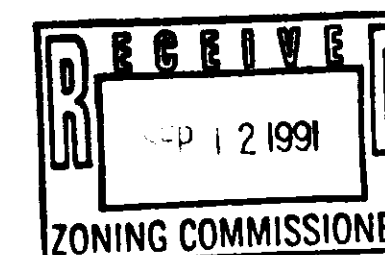
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 10, 1991
Zoning Administration and Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Norbert R. Myslinski, Item No. 36



In reference to the petitioner's comments, staff offers the following comment:

This site is located within the Woodlawn/Liberty Community Plan area. There is language contained in the plan that addresses the conversion of single-family homes. The intent of the plan is to notify community residents regarding any conversion in their neighborhood and to develop regulations to preserve the outside appearance of the structures intended for conversion.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat

JSHELL/ZAC1

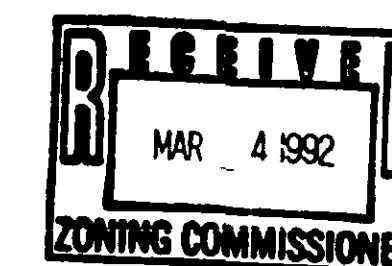
IN RE: PETITION FOR SPECIAL HEARING
520 ft. S. Park Dr. on N/S
Poplar Drive
2514 Poplar Drive
2nd Election District
2nd Councilmanic District
Norbert R. Myslinski,
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case # 92-44-SPH

ENTRY OF APPEARANCE

Please enter the appearance of Michael Lewis Freilich, Esquire as attorney for the Petitioner, NORBERT R. MYSLINSKI.

Michael L. Freilich
Michael L. Freilich
408 Bosley Avenue
Towson, Maryland 21204
(410) 321-0040



111 West Chesapeake Avenue
Towson, MD 21204

887-4454

November 8, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing
520 ft. S Park Drive on N/S Poplar Drive (2514 Poplar Drive)
2nd Election District, 2nd Councilmanic District
NORBERT R. MYSLINSKI - Petitioner
Case No. 92-44-SPH

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on November 7, 1991 by Norbert R. Myslinski, Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Pat Keller
Zoning Commissioner

LES:cer

cc: Norbert Myslinski, 108 Rockrimmon Road, Reisterstown, MD 21211

William Obrecht, 2415 Poplar Drive, Balto., MD 21207

Angelina Malcolm, 2512 Poplar Drive, Balto., MD 21207

Alicia Barbers, 16 Gwynn Lake Drive, Balto., MD 21207

Alicia Barbers, 16 Gwynn Lake Drive, Balto., MD 21207

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Alicia Barbers, 16 Gwynn Lake Drive, Balto., MD 21207

Alicia Barbers, 16 Gwynn Lake Drive, Balto., MD 21207

1/14/92 - Following parties notified of hearing set for April 22, 1992 at 10:00 a.m.:

Mr. Norbert R. Myslinski
Mr. William Obrecht
Ms. Angelina Malcolm
Mr. and Mrs. Jeffrey Barbers
Ms. Alice Recca
Ms. Irene Conley
Ms. Karen Gray
Ms. Nancy Wilson
Mr. Blaze Bizzarri
Mr. William Ormiston
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon

3/09/92 -Letter from Michael L. Freilich, Esquire (entered appearance 3/06/92 as Counsel for Petitioner/Appellant) requesting PP from 4/22/92 date due to possible court conflict.

3/11/92 - Notice of POSTPONEMENT and REASSIGNMENT sent to above parties reset for May 26, 1992 at 10:00 a.m. at request of Counsel for Petitioner/Appellant.

3/31/92 -Letter from William Ormiston, Protestant, requesting POSTPONEMENT; will be out of town Memorial Day weekend; returning home day after Memorial Day (5/26 / day of hearing); requests postponement; or will provide written letter.

4/02/92 -Response from W. Hackett to Mr. Ormiston /request DENIED; case to be heard on 5/26/92 as scheduled.

6/10/92 -Copies of minutes of Gwynn Oak Improvement Association where "action was taken regarding the property at 2514 Poplar Dr." /submitted by W. Obrecht.

Appeal Cover Letter - Case No. 92-44-SPH
NORBERT R. MYSLINSKI
November 8, 1991
Page 2

Jeffrey & Alicia Barbers, 16 Gwynn Lake Dr., Balto., MD 21207

Alice Recca, 2600 West Park Drive, Balto., MD 21207

Irene Conley, 2606 Poplar Drive, Balto., MD 21207

Karen Gray, 2604 Poplar Drive, Balto., MD 21207

Nancy Wilson, 2315 Poplar Drive, Balto., MD 21207

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

APPEAL

Petition for Special Hearing
520 ft. S Park Drive on N/S Poplar Drive
(2514 Poplar Drive)
2nd Election District - 2nd Councilmanic District
NORBERT R. MYSLINSKI - Petitioner
Case No. 92-44-SPH

Petition(s) for Special Hearing

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Violation Notice

Petitioner's Exhibits: 1. Verification Letter from D. G. Erman
2. Gas service installation report
3. Plat to accompany Petition

Protestant's Exhibits: 1. Woodlawn/Libert Community Plan

Zoning Commissioner's Order dated October 11, 1991 (Denied)

Notice of Appeal received November 7, 1991 from Norbert R. Myslinski, Petitioner

cc: Norbert Myslinski, 108 Rockrimmon Road, Reisterstown, MD 21211

William Obrecht, 2415 Poplar Drive, Balto., MD 21207

Angelina Malcolm, 2512 Poplar Drive, Balto., MD 21207

Alicia Barbers, 16 Gwynn Lake Drive, Balto., MD 21207

Jeffrey & Alicia Barbers, 16 Gwynn Lake Dr., Balto., MD 21207

Alice Recca, 2600 West Park Drive, Balto., MD 21207

Irene Conley, 2606 Poplar Drive, Balto., MD 21207

Karen Gray, 2604 Poplar Drive, Balto., MD 21207

Nancy Wilson, 2315 Poplar Drive, Balto., MD 21207

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of Zoning Administration
and Development Management
Public Services

ZONING ENFORCEMENT

Baltimore County
Zoning Office
Towson, Maryland 21204

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer
Zoning Supervisor

DATE: July 25, 1991

FROM: James H. Thompson
Zoning Enforcement Coordinator

RE: Item No. 036
Petitioner:

VIOLATION CASE # C-91-1321

LOCATION OF VIOLATION 2514 Poplar Drive

DEFENDANT Norbert R. Myslinski

ADDRESS 108 Rockrimmon Road Reisterstown, Maryland 21136

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME	ADDRESS
Gwynn Oak Improvement Association	2315 2644 Poplar Drive
c/o Ms. Nancy Wilson	Baltimore, Maryland 21207

After the public hearing is held, please send a copy of the Zoning Commissioner's order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

cc: Gwen Stephens
Development Control

eeh/



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue

(301) 887-3180
January 14, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-44-SPH NORBERT R. MYSLINSKI
520' S Park Drive on N/s
Poplar Drive (2514 Poplar Drive)
2nd Election District;
2nd Councilmanic District

SPH-nonconforming use/2 apts.
in D.R.5.5 zone

10/11/91 - Z.C.'s Order DENYING
Petition.

ASSIGNED FOR: WEDNESDAY, APRIL 22, 1992 AT 10:00 a.m.

cc: Mr. Norbert R. Myslinski - Petitioner/Appellant
Mr. William Obrecht
Ms. Angelina Malcolm
Mr. and Mrs. Jeffrey Barbers
Ms. Alice Rea
Ms. Irene Conley
Ms. Karen Gray
Ms. Nancy Wilson
Mr. Blaze Bizzarri
Mr. William Ormiston
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Lindalee M. Kuszmaul
Legal Secretary

*Michael L. Freilich, Esq.
Counsel for Petitioner/Appellant*



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue

(410) 887-3180
March 11, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-44-SPH NORBERT R. MYSLINSKI
520' S Park Drive on N/s
Poplar Drive (2514 Poplar Drive)
2nd Election District;
2nd Councilmanic District

SPH-nonconforming use/2 apts.
in D.R.5.5 zone

10/11/91 - Z.C.'s Order DENYING
Petition.

which was scheduled for hearing on April 22, 1992 has been POSTPONED at the request of Counsel for Petitioner/Appellant and has been

REASSIGNED FOR: TUESDAY, MAY 26, 1992 AT 10:00 a.m.

cc: Michael L. Freilich, Esquire-Counsel for Petitioner/Appellant
Mr. Norbert R. Myslinski - Petitioner/Appellant
Mr. William Obrecht
Ms. Angelina Malcolm
Mr. and Mrs. Jeffrey Barbers
Ms. Alice Rea
Ms. Irene Conley
Ms. Karen Gray
Ms. Nancy Wilson
Mr. Blaze Bizzarri
Mr. William Ormiston
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Lindalee M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 887-3180

June 17, 1992

Michael L. Freilich, Esquire
408 Bosley Avenue
Towson, MD 21204

RE: Case No. 92-44-SPH
Norbert R. Myslinski

Dear Mr. Freilich:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Matthew C. Weidenhammer
Matthew C. Weidenhammer
Administrative Assistant

encl.

cc: Mr. Norbert Myslinski
Mr. Blaze Bizzarri
Mr. William Obrecht
Ms. Angelina Malcolm
Ms. Alicia Barbers
Jeffrey & Alicia Barbers
Ms. Alice Rea
Ms. Irene Conley
Ms. Karen Gray
Ms. Nancy Wilson
Mr. William Ormiston
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 887-3180

April 2, 1992

Mr. William Ormiston
2106 Southland Road
Baltimore, MD 21207

Re: Case No. 92-44-SPH
Norbert R. Myslinski

Dear Mr. Ormiston:

The Board is in receipt of your letter dated March 30, 1992 wherein you are requesting a postponement of one day for the above-captioned matter which is presently scheduled for hearing on May 26, 1992.

Since the Board's docket is set through July 1992 and no earlier date is available, your request for postponement must be denied and the case heard on May 26th as scheduled.

Should you have any further questions, please do not hesitate to contact this office at 887-3180.

Sincerely,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

cc: Michael L. Freilich, Esquire
Mr. Norbert Myslinski

IN THE MATTER OF * BEFORE THE
520 ft. S. Park Dr. on N/S * COUNTY BOARD OF APPEALS
2514 Poplar Drive * OF BALTIMORE COUNTY
Norbert R. Myslinski * CASE NO. 92-44-SPH

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on May 26, 1992 at 10:00 a.m. at Room 48, located at the Old Courthouse, 400 Washington St., Towson and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: Custodian of Records
Address: Customer Accounts Dept., 20th Floor
B & E Building, Lexington & Liberty Streets
Baltimore City, Maryland
The Witness is to bring with him/her all records which demonstrate the number of active accounts from 1953 to date at the property commonly known as 2514 Poplar Drive, Baltimore County, Md 21207.
Name: Michael L. Freilich, Esquire
Firm: Michael L. Freilich, Chartered
Address: 408 Bosley Avenue
Towson, Maryland 21204
(410) 321-0040

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

Linda Kuszmaul
County Board of Appeals of
Baltimore County

Cost: \$
Summoned: Larry Butler, 19 92
Not served: 19

Sheriff of Baltimore County

44 Enghel

IN THE MATTER OF * BEFORE THE
520 ft. S. Park Dr. on N/S * COUNTY BOARD OF APPEALS
2514 Poplar Drive * OF BALTIMORE COUNTY
Norbert R. Myslinski * CASE NO. 92-44-sph

SUBPOENA

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Witness: Mrs. Diane Frank Armelia
Address: 494 Brunswick Street

Name: Michael L. Freilich, Esquire
Firm: Michael L. Freilich, P.A.
Address: 408 Bosley Avenue
Towson, Maryland 21204
(410) 321-0040

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

151
County Board of Appeals of
Baltimore County

Cost: \$
Summoned: 19
Not served: 19

Sheriff of Baltimore County

IN THE MATTER OF * BEFORE THE
520 ft. S. Park Dr. on N/S * COUNTY BOARD OF APPEALS
2514 Poplar Drive * OF BALTIMORE COUNTY
Norbert R. Myslinski * CASE NO. 92-44-SPH

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on May 26, 1992 at 10:00 a.m. at Room 48, located at the Old Courthouse, 400 Washington St., Towson and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: James Thomas
Address: 6101 Liberty Road
Baltimore, Maryland 21207

Name: Michael L. Freilich, Esquire
Firm: Michael L. Freilich, P.A.
Address: 408 Bosley Avenue
Towson, Maryland 21204
(410) 321-0040

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

151
County Board of Appeals of
Baltimore County

Cost: \$
Summoned: 19
Not served: 19

Sheriff of Baltimore County

From: Jeffrey M. Barbers
Address: 16 Gwynn Lake Drive
Balt, MD 21207
Subject: Zoning Case # 92-44 SPH
To: Baltimore County Zoning Commissioner
ZONING OFFICE

I am writing to dispute the attempt of the property owner of 2514 Poplar Drive, Baltimore, MD 21207 to have his property zoned for two apartments (Case # 92-44 SPH) in lieu of one single family house. I have lived at 16 Gwynn Lake Drive as a homeowner for three years and have noticed over this brief period how traffic on our neighborhood streets has increased dramatically and parking has become a problem. It is evident that as a neighborhood turns over into rental properties these problems tend to occur as well as problems with upkeep of rental properties, problems with peace and quiet and problems with decreasing property values. It is also evident that the higher the turnover of people in an area (neighborhood) the greater the deterioration ensues. Therefore I am in favor of preserving this quiet, clean safe neighborhood in Woodlawn and opposed to the approval of a zoning status of two apts. for 2514 Poplar Drive (Case # 92-44 SPH). The county has put so much money into this area lately (i.e. new police station, conversion of old Woodlawn Elementary School into senior citizen housing) to let it slip into just another rental district.

Jeffrey M. Barbers

PETITIONER'S EXHIBIT 1

July 3, 1991

TO WHOM IT MAY CONCERN:

This is a note of verification regarding the property located at:

2514 POPLAR DRIVE
BALTIMORE, MARYLAND
21207

This property was designed and built by my grandmother, A. Lucille Garner in 1952-53.

She was the sole property owner until the time of her death. Due to being physically handicapped, Mrs. Garner placed apartments in the 2514 building in 1953, and the income which they produced provided her with some financial stability.

When Mrs. Garner passed away, her son inherited the property and I, (her granddaughter) acted as caretaker of the property. When my father deeded the house to me, I also maintained the property as an apartment building, while living there.

When I decided to sell the property, Mr. Norbert Myslinski was the gentleman who purchased it from me. I was always told that this property fell under a "Grandfather Clause." I passed this information on to Mr. Myslinski.

Regards,

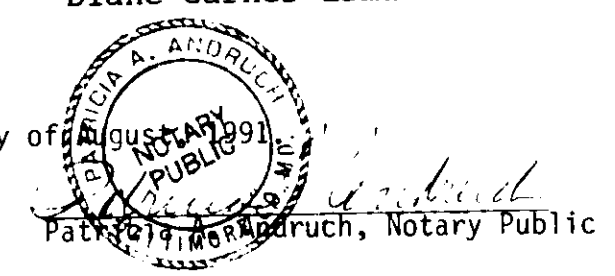
Diane Garner Erman

Diane Garner Erman

STATE OF MARYLAND
COUNTY OF BALTIMORE

Sworn and subscribed before me this 8th day of July 1991.

My commission expires 11/17/93.



CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203-1475

Customer Relations Department

April 30, 1991

Norbert R. Myslinski
108 Rockrimmon Rd.
Reisterstown, MD 21136

RE: 2514 Poplar Dr. *PS

Dear Mr. Myslinski:

Thank you for your inquiry. Gas service was installed in 1953 at 2514 Poplar Drive *PS.

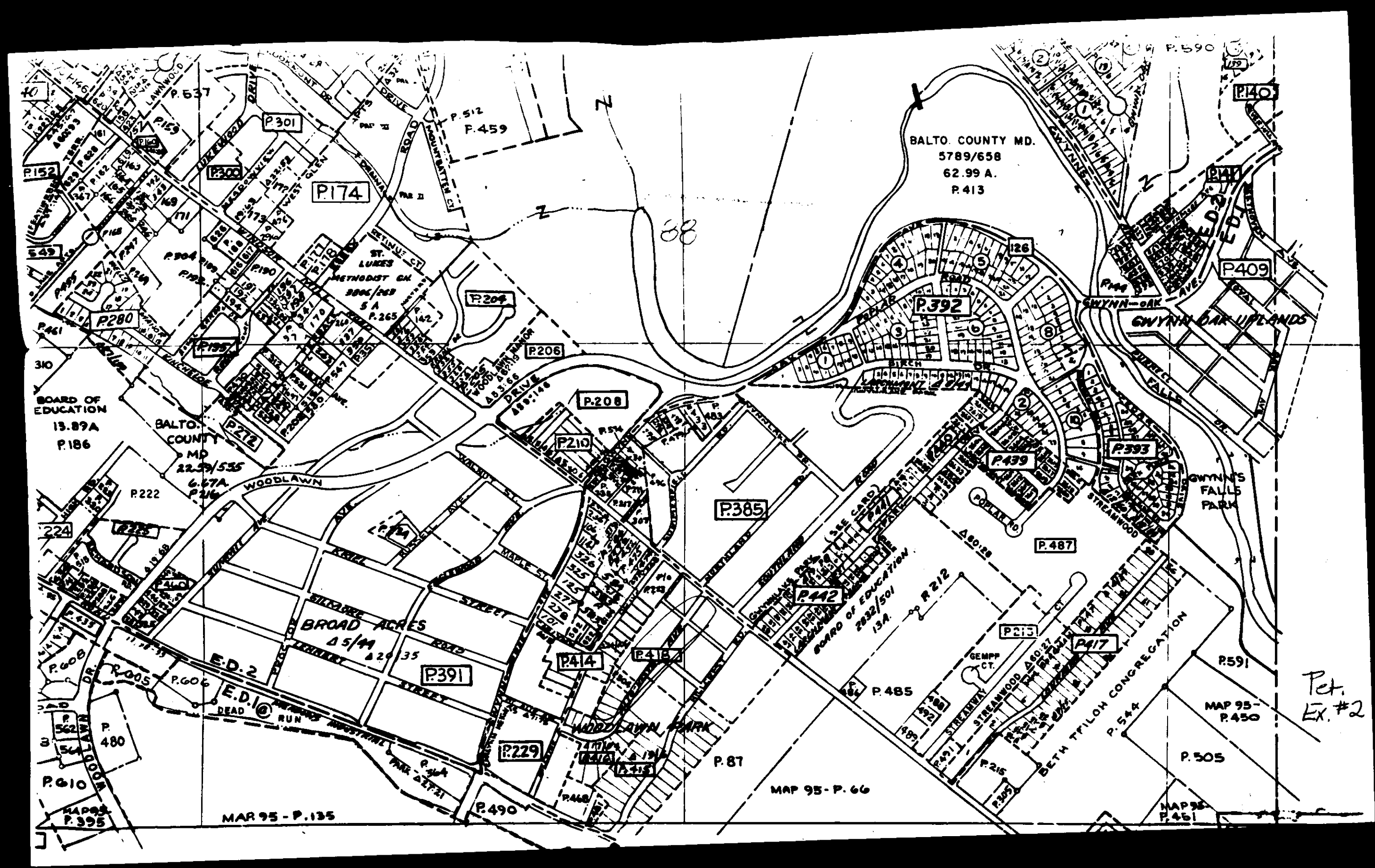
If I may be of further assistance, please call me at 234-6555.

Sincerely,
P. Dunn

P. Dunn
Customer Representative

PD/pgb

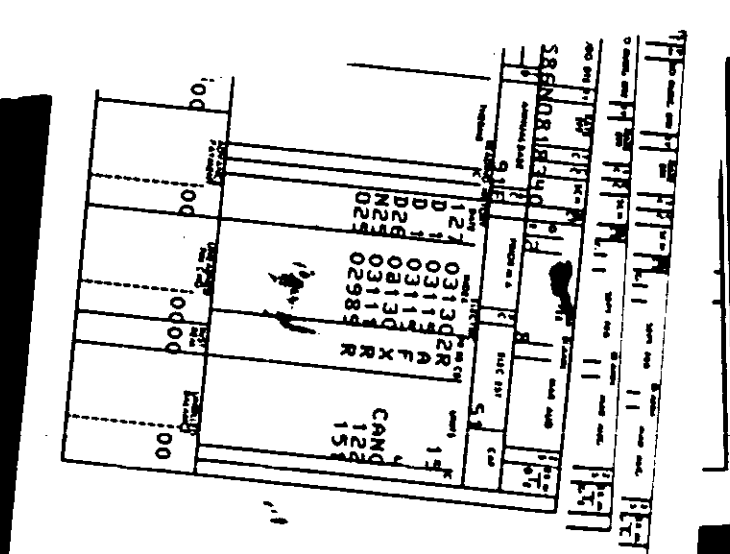
PETITIONER'S EXHIBIT 2



Pet. Ex. #2

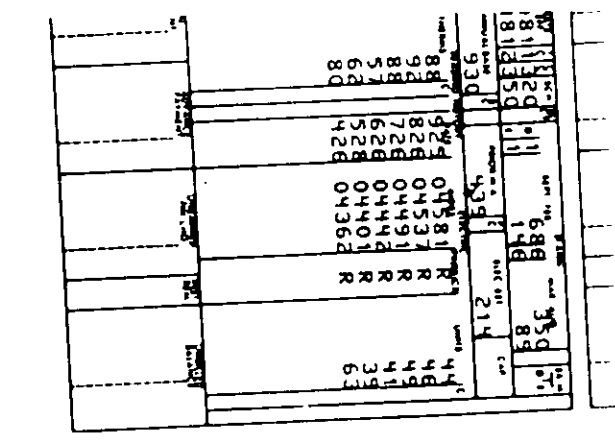
2514 Poplar Dr. *2FL N.D.
JUNE 5, 1985 → JULY 26, 1985
ERMAN, DIANE
JULY 26, 1985 → DEC 1, 1985
LARRY B. DERRIS
DEC 1, 1985 → JUNE 1, 1986
ERMAN, DIANE
JUNE 1, 1986 → TO CURRENT
NORBERT R. MYSLINSKI

Petitioner's Ex. #5
a - f



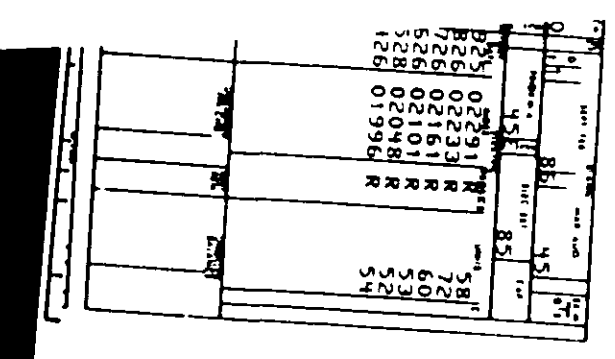
2514 Poplar Dr. *2FL N.D.
PUBLIC SERVICE
MARCH 1984 → JUNE 10, 1986
JUNE 10, 1986 → TO DATE
NORBERT R. MYSLINSKI

Petitioner's Ex. #6 a - p



2514 Poplar Dr. *2FL N.D.
MARCH 1985 → JAN 11, 1986
NORBERT R. MYSLINSKI
JAN 11, 1986 → JUNE 1, 1986
ERMAN, DIANE
JUNE 1, 1986 → TO CURRENT
NORBERT R. MYSLINSKI

Petitioner's Ex. #7 a - o



Application to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 2514 Poplar Dr.

Subdivision name: 1. AVE. 1, 1953
plat book # 7, folio 16, lot # 21, section # 5

OWNER: Norbert R. Myslinski

Vicinity Map
Scale: 1" = 100'

LOCATION INFORMATION
Councilmanic District: 2
Election District: 2
1" = 200' scale map: NW 3 E
Zoning: DR 5.5
Lot size: 10,350 square feet
SEWER: ☒
WATER: ☒
Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: None

Zoning Office USE ONLY!
reviewed by: ☐ ITEM #: ☐ CASE #: ☐

North
date: 7-2-91
prepared by: ☐ Scale of Drawing: 1" = 40'

92-44-SPH

FILE NO. 145-058
 WRITTEN BY mab
 FORM APPROVED *an*
 READY FOR RECORD *an*

DEED Pet. Ex #4

DIANE GARNER ERMAN

NORBERT R. MYSLINSKI

Received for Record, 19
 at o'clock M. Same day recorded
 in Liber No. Folio &c.
 one of the Land Records of
 and examined per
 Clerk.
 Cost of Record, \$.

THE SECURITY TITLE GUARANTEE
 CORPORATION OF BALTIMORE
 Six South Calvert
 Baltimore, Maryland 21202

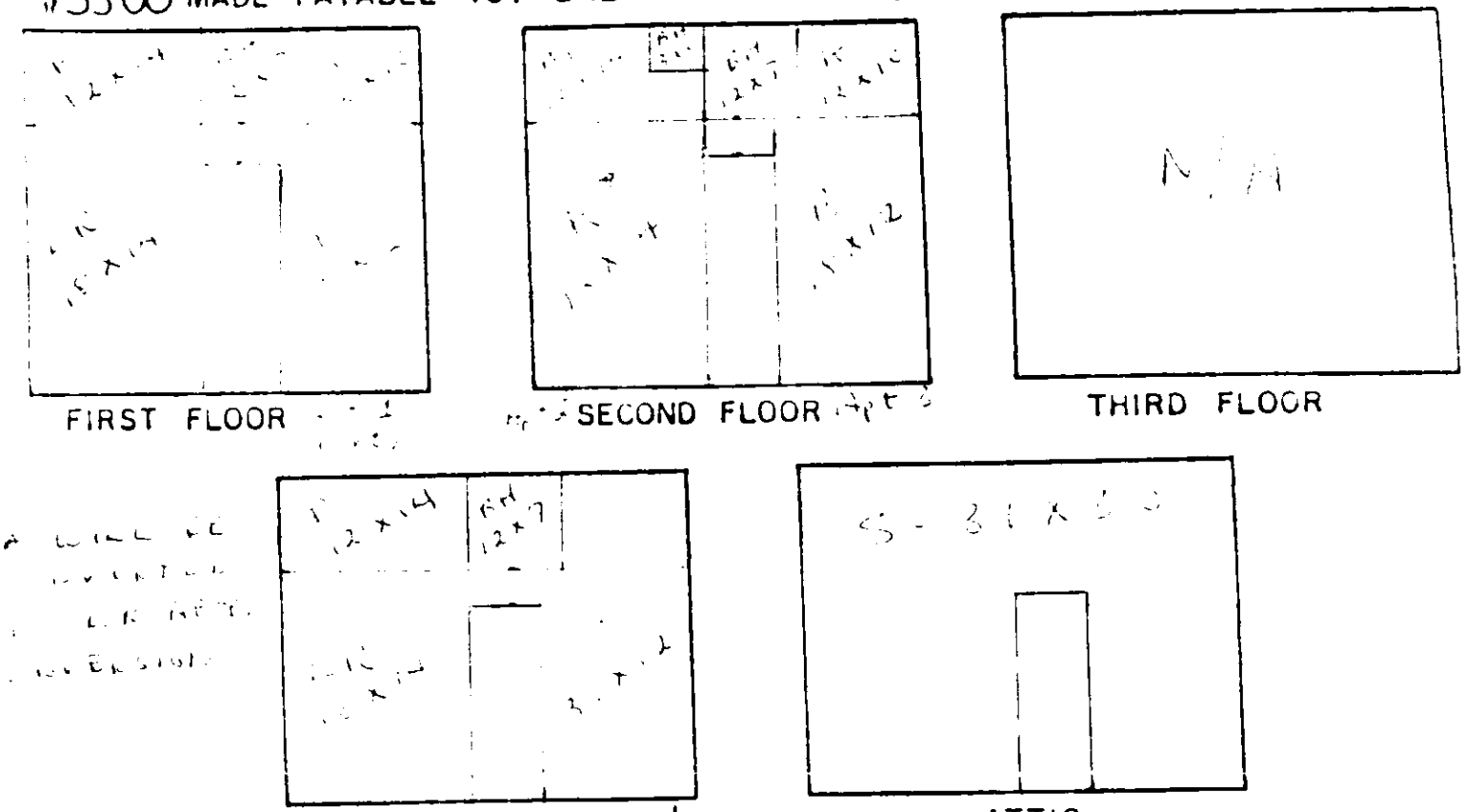
THE DAILY RECORD CO. BALTIMORE, MD. 21202

01-67-070430

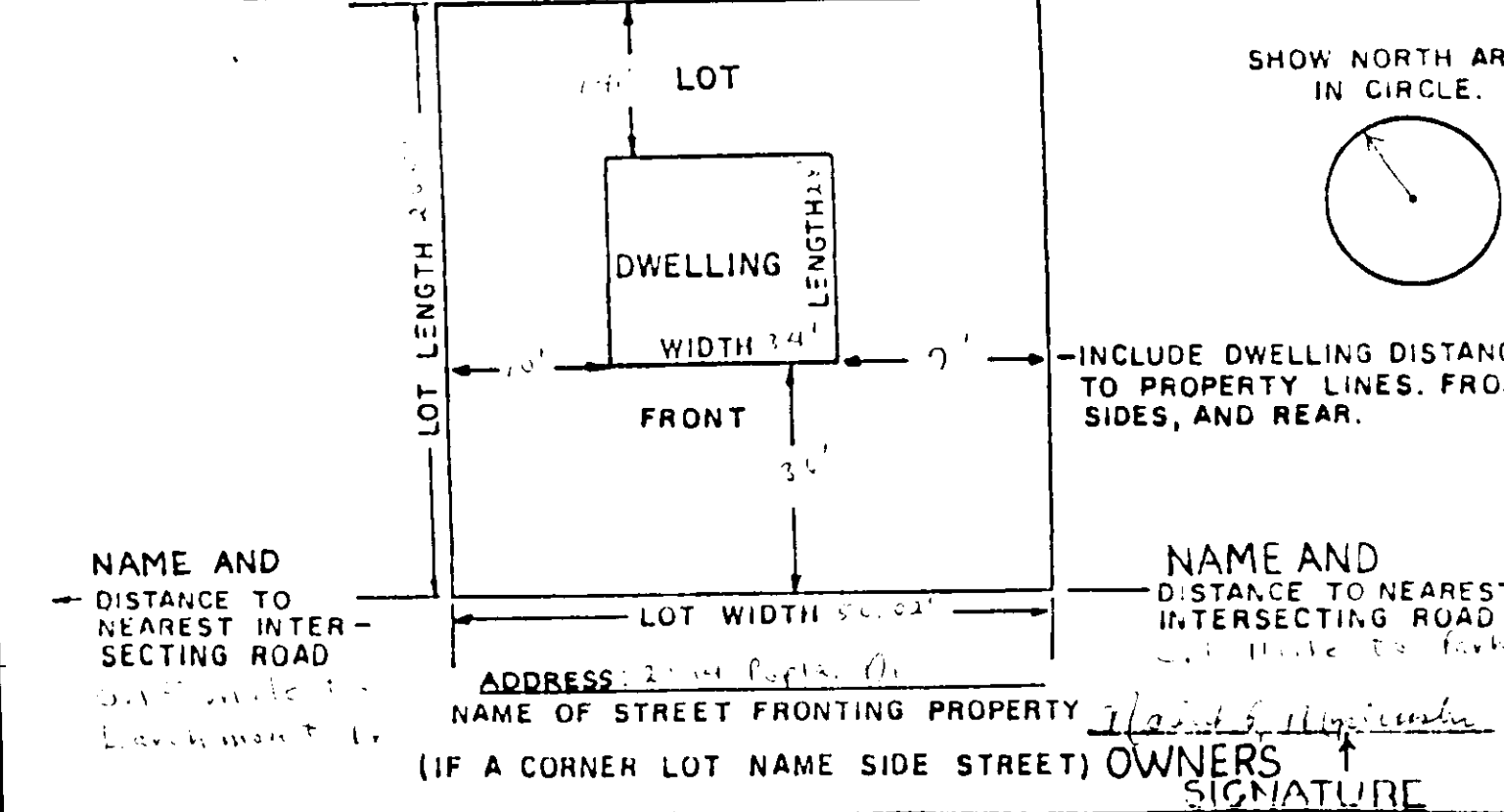
CASE NUMBER **92-44-SPH**

PETITIONER'S EXHIBIT #

THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$35.00 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.
 LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



CASE NUMBER **92-44-SPH**

PETITIONER'S EXHIBIT #

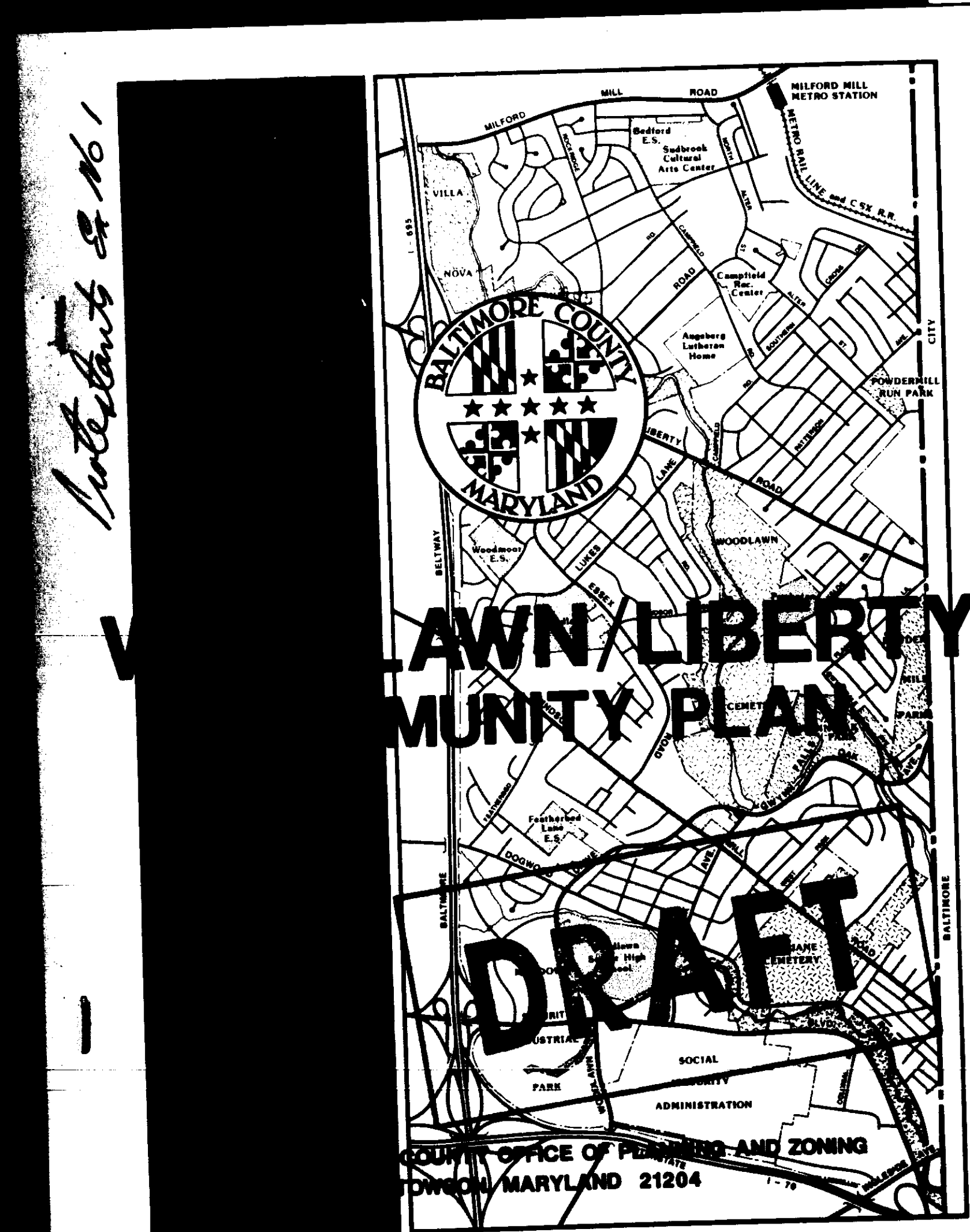
2514 Poplar Drive
 Front



APRIL 1981 → JULY 1, 1986
 JULY 2, 1986 → AUG 28, 1986
 AUG 28, 1986 → SEPT 1, 1986
 SEPT 1, 1986 → APRIL 30, 1988
 APRIL 30, 1988 → MAY 10, 1988
 MAY 10, 1988 → MARCH 28, 1991
 MARCH 28, 1991 → JUNE 1, 1991
 JUNE 1, 1991 → TO CURRENT

DR * IFL
 JULY 1, 1986
 JAN
 AUG 28, 1986
 WE RICHARDSON
 SEPT 1, 1986
 YSLINSKI
 APRIL 30, 1988
 HARNLEY
 MAY 10, 1988
 YSLINSKI
 MARCH 28, 1991
 D BIZZARRI
 JUNE 1, 1991
 YSLINSKI
 TO CURRENT
 BIZZARRI JR

Petitioner's Ex. #8 a-v



BALTIMORE GAS AND ELECTRIC

CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203

May 11, 1992

Norbert R. Myslinski
 108 Rockrimmon Rd.
 Reisterstown, Md. 21136

Re: 2514 Poplar Dr. *PS

Dear Mr. Myslinski

Enclosed is a copy of our General Service Schedule that you requested. The highlighted area defines Public Service.

Thank you for the opportunity to assist.

Sincerely,
 P. Dunn
 P. Dunn
 Customer representative

Petitioner's Ex. #9

BALTIMORE GAS AND ELECTRIC

CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203-1475

Customer Relations Department April 30, 1991

92-44-SPH

Norbert R. Myslinski
 108 Rockrimmon Rd.
 Reisterstown, MD 21136

RE: 2514 Poplar Dr. *PS

Dear Mr. Myslinski:

Thank you for your inquiry. Gas service was installed in 1953 at 2514 Poplar Drive *PS.

If I may be of further assistance, please call me at 234-6555.

Sincerely,
 P. Dunn
 P. Dunn
 Customer Representative

PD/pgb

Petitioner's Ex. #10

ITEM 36